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09/680,107	10/04/2000	Glenn Reid	004860.P2476	8211
7590	02/18/2009	Lisa Benado Blakely Sokoloff Taylor & Zafman LLP 12400 Wilshire Boulevard Seventh Floor Los Angeles, CA 90025-1026	EXAMINER WANG, JIN CHENG	
ART UNIT	PAPER NUMBER	2628		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/680,107	Applicant(s) REID, GLENN
	Examiner JIN-CHEUNG WANG	Art Unit 2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

Status

1) Responsive to communication(s) filed on 15 January 2009.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-27, 29, 30, 32, 33, 35, 36 and 38-40 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-27, 29-30, 32-33, 35-36 and 38-40 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/89/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Response to Amendment

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/15/2009 has been entered. Claims 1, 8, 15, 21, 27, 30, and 33-36 have been amended. Claims 28, 31, 34 and 37 have been canceled. Claims 1-27, 29-30, 32-33, 35-36 and 38-40 are pending in the present application.

Response to Arguments

Applicant's arguments, filed January 15, 2009, with respect to the amended claim 1 and similar claims have been considered but are moot in view of the ground of rejection in the present Office Action based on the Adobe After Affect Version 4.0, July 15, 1999, <http://proquest.safaribooksonline.com/0201658917>, (hereinafter After-Effect).

As addressed in the present Office Action, the claim 1 is fulfilled by After-Effect in view of Herbstman U.S. Patent No. 5,919,249 (hereinafter Herbstman).

Herbstman teaches a method to manipulate a time based stream of information (Figs. 1-2 and column 3-6) comprising:

Receiving an edit command (the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if

more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface);

Retrieving a first frame of time based stream of information (The frames are rendered in parallel as disclosed in column 6, lines 20-67 in accordance with each output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy of the master frame is retrieved and then rendered in one format while the master frame is rendered at the second format);

Determining whether the first frame requires a modification according to the edit command (the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface. At column 4, lines 10-40, the cited reference teaches that proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently);

Adding an edit feature to the first frame if the first frame requires the modification (the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats

have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface);

*Creating a first proxy of the first frame, wherein the creating the first proxy of the first frame is performed while continuing the adding of the edit feature to the first frame (*The master frames are rendered in a first format as a proxy frame or in a second format in parallel as disclosed in column 6, lines 20-67 in accordance with the output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame. Therefore, while continuing adding the edit feature to the first master frame, the first proxy is rendered in parallel and is created in the display and saved in the memory.**

The user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface. At column 4, lines 10-40, the cited reference teaches that proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects

and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently);

Display the proxy of the first frame while continuing the adding the edit feature to the first frame if it is determined that the first frame requires the modification (*The master frames are rendered in a first format as a proxy frame or in a second format in parallel as disclosed in column 6, lines 20-67 in accordance with the output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame. Therefore, while continuing adding the edit feature to the first master frame, the first proxy is rendered in parallel and is created in the display and saved in the memory.*);

Displaying the first frame of the time based stream of information if it is determined that the first frame does not require the modification (*column 4, lines 10-40, proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently. The frames are rendered in parallel as disclosed in column 6, lines 20-67 in accordance with each output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy of the master frame is rendered in one format while the master frame is rendered at the second format.*).

Applicant argues in essence with respect to the claim 1 and similar claims the claim limitation of “simultaneously with rendering” within the claim limitation of “automatically creating a proxy, which is a second representation of the presentation simultaneously with the rendering of the modifications of a first presentation of the presentation”. The claim 1 has a broad recitation of “rendering of the modifications of the first representation”. Although simultaneously with rendering is recited in the creating step and displaying the proxy is recited in the displaying step, this does not necessarily mean that the proxy is simultaneously displayed with a first representation of the presentation. Nothing is recited in the claim as to simultaneously displaying the first representation of the presentation and the second representation of the presentation. For example, simultaneously rendering into a memory device does not mean simultaneously displaying on a display device.

In a non-limiting example, Adobe After-Effect teaches the same term rendering, but in a different context, which is more than Applicant’s recitation of rendering because in Adobe, the rendering is taught together with the image frames. From After-Effect, rendering the image frames also means displaying the image frames when the rendering is associated with the image frames. However, in the context of the claim 1, no image frames has been recited together with the rendering. Instead, the broad recitation of rendering of the modifications of the first representation (into a memory device) has been set forth in the claim 1, as opposed to the rendering of the image frames. Clearly, the rendering of the modifications of the first representation in the context of the claim 1 is very different from the rendering of the image frames taught in Adobe.

Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered as lower-resolution image frames or proxies of the original movie.

Adobe After-Effect teaches at Pages 9-12 that when a user use the ActHiR.mov file in a composition, After Effects will use the proxy for display. In Adobe After-Effect, with respect to the rendering/storing of the effects and properties, the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage stored in ActHiR.mov (simultaneously rendering/produced) wherein the effects and properties are at least rendered to a memory or a file in order to display the movie ActHiR.mov with the effects and properties applied when the user chooses so. During the rendering and displaying of effects and properties to the proxies or the low-resolution counterparts, the same effects and properties can be rendered/stored to the actual movie footage and therefore the Adobe system stores/records/render the effects and properties so that the same effects and properties can be applied to the actual movie footage. Moreover, with respect to the simultaneously rendering/displaying of the actual movie footage, one of the ordinary skill in the art understands from After Effects that simultaneously rendering/displaying the effects and properties to the proxy as well as the actual movie footage can be achieved with two computers loaded with the same footage movie wherein the user has the option to allow one computer to simulate the rendering/displaying of the effects and properties to the proxy and the user has the option to allow the other computer to simultaneously simulate the rendering/displaying of the effects and properties to the actual movie footage.

After-Effects thus fulfill the claimed simultaneously rendering when the effects and properties are simultaneously applied/rendered into the lower-resolution counterparts and the actual footage.

It is clearly understood that the sequence of frames in ActHiR.mov is simultaneously produced with the proxy movie being displayed in a composition window. However, Applicant argues that ActHiR.mov is not displayed simultaneously with the proxy movie. This argument is irrelevant because the claim 1 does not specifically require displaying simultaneously the first representation of the presentation and the second representation of the presentation. Moreover, Applicant may argue that Adobe's ActHiR.mov is produced after the effects and properties are applied to the proxies. However, this argument is based unreasonable interpretation of the Adobe After-Effect's teaching. Since ActHiR.mov has a series of frames, effects and properties are applied to the proxies in real time during the displaying of the proxy in a composition window, the effects and properties cannot be applied to the sequence of frames ActHiR.mov afterwards. The proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is a presentation of the actual footage while editing is visualized on the displayed while actually being performed on the actual movie footage wherein the effects and properties are applied to the actual footage to create the revised footage. The effects and properties have to be applied to the sequence of frames ActHiR.mov simultaneously during the rendering of the effects and properties to the proxy image frames in a composition window.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that, for the many frames of the video editing, with respect to the rendering/storing of the effects and properties, the

effects and properties applied to the proxies or the lower-resolution counterparts are simultaneously applied to the actual footage stored in ActHiR.mov wherein the effects and properties are rendered to a memory or a file called ActHiR.mov during the displaying of the proxies or the low-resolution counterparts. Moreover, with respect to the simultaneously rendering/displaying of the actual movie footage, one of the ordinary skill in the art understands from After Effects that simultaneously rendering/displaying the effects and properties to the proxy as well as the actual movie footage can be achieved with two computers loaded with the same footage movie wherein the user has the option to allow one computer to simulate the rendering/displaying of the effects and properties to the proxy and the user has the option to allow the other computer to simultaneously simulate the rendering/displaying of the effects and properties to the actual movie footage.

In Adobe, the proxy is displayed during the rendering of the effects and properties to the actual movie footage into a memory of a file stored as ActHiR.mov file. The user concurrently determines whether to view the proxy with the rendered effects or the actual movie footage with the rendered effects. During the rendering of the effects, the proxy movie with the rendered effects is viewed while the effects are also rendered to ActHiR.mov. The effects are being applied or have been applied to the sequence of frames of the movie in the process of rendering and/or in the processing of presentation. When the actual movie footage with the rendered effects is toggled to be viewed in a viewing window, the proxy with the rendered effects is not viewed concurrently after effects are rendered.

The ActHiR.mov meets the claim limitation of the first representation of the presentation which can be displayed when the user chooses to do so. The proxies or the lower-resolution

counterparts meet the claim limitation of "proxy" or a second representation of the presentation.

That the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov means "simultaneously rendering" of the first representation of the presentation----ActHiR.mov and the second representation of the presentation---the proxies. The effects and properties are rendered to a memory or a file called ActHiR.mov simultaneously with the displaying of the proxies or the low-resolution counterparts. After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window with a sequence of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while (simultaneously) the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed while actually being performed on the actual movie footage wherein the effects and properties are applied to the actual footage to create the revised footage. For this reason, After-Effect teaches a first representation of the presentation of a time-based stream of information---the actual footage---as first represented by actual footage movie and then second represented by the proxy movie footage at a resolution and frame rate set by the user.

The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames and the simulation of the modifications is later stored as a proxy footage file ActPrx.mov or FX_HiR.mov----representing the proxy frames, which is NOT stored in the claimed “file” corresponding to the revised movie footage file---ActHiR.mov. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original footage to create a revised movie footage---ActHiR.mov----which is resident on a storage.

When the effects being added to the movie footage---ActHiR.mov---stored on a storage device, simulation occurs within the storage file, ActHiR.mov. The simulation of modifications refers to the simulation of the proxy footage when the effects are added to the proxy frames on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to produce the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See also Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---wherein the movie has been revised by adding effects to the original footage. Although the proxy footage is also stored in the file folder as a proxy file, it is different from the revised movie footage---ActHiR.mov. See Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie footage displayed as a representation of the original movie.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-7, 15-20, 21-26, 33-35 and 39 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re Claims 1-7 and 39:

Claim 1 is rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Supreme Court precedent¹ and recent Federal Circuit decisions² indicate that a statutory “process” under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an

¹ *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

² *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008).

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article or material) to a different state or thing. While the instant claim(s) recite a series of steps or acts to be performed, the claim(s) neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process. For example, the claim 1 failed to identify the apparatus that accomplishes the method steps. The claim 1 failed to identify the apparatus that accomplishes the steps of “determining...automatically creating...sending...displaying...displaying...”, set forth in the method claim 1. Additionally, as evidenced in the claim 8 or claim 21, these steps are merely instructions or software elements. The steps which include instructions are merely descriptive material without reaching a final result as being useful, concrete and tangible.

Since claim 1 includes a 101 judicial exception, claim 1 must be for a practical application of the judicial exception. As is, claim 1 failed to recite either a physical transformation or produce a useful and tangible result. Thus, claim 1 is also non-statutory for this reason.

As per 35 USC 101 guidelines nonfunctional descriptive material may be claimed in combination with other functional descriptive material on a computer readable medium to provide the necessary functional and structural interrelationship to satisfy the requirements of 35 USC 101. The claims 2-7 and 39 are subject to the same rationale of rejection set forth in the claim 1.

Claims 15-20:

Claim 15 applies a computer program as part of a seemingly patentable apparatus, however, claim 15 in reality seeks patent protection for the computer program as the body of the

claim 15 merely recites a plurality of software programs (instructions/means) for performing the steps corresponding to the claim 1.

The claimed invention does not transform an article or physical object to a different state or thing (note: transformation of data is not “physical transformation”) and does not produce a “useful, concrete and tangible result”. For example, in claim 1, although the preamble of the claim refer to a hair pipeline, the body of the claim cites software modules, for which it is not clear in the claim that the functional descriptive material is in combination with an appropriate hardware. The claim 15 is directed toward software architecture for reasons stated above. Every components of the claimed system are computer program components. Computer program per se is neither computer components nor statutory process. Thus, claim 15 is non-statutory.

Claims 16-20 are non-statutory for the same reasons discussed above.

Re Claims 21-26 and 34-35:

The claim 21 recites “[a]computer readable medium”. From applicant's specification, the computer readable medium is not limited to tangible embodiments, instead of being defining as including tangible embodiments (e.g., ROM, EEPROM) and intangible embodiments (for example, data signals in a carrier wave---paragraph 3 of Page 36 of applicant's specification, has been disclosed as a computer readable storage medium). As such, the claims are not limited to statutory subject matter and therefore non-statutory.

The claim 21 is thus non-statutory. The claims 22-26 and 34-35 are rejected for the same reasons set forth in the claim 21.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-27, 29-30, 32-33, 35-36 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adobe After Effect Version 4.0, July 15, 1999, <http://proquest.safaribooksonline.com/0201658917> (hereinafter After-Effects; for applicant's convenience, a number of relevant pages from the e-book has been printed out and the printed-out-pages are renumbered for ease of reference) in view of Herbstman et al. US Patent No. 5,919,249 (hereinafter Herbstman).

1. Re Claims 1, 8, 15, 21 and 39-40:

After-Effect teaches a method of manipulating a time based stream (e.g., adding effects to a movie clip, an animation clip, etc) of information in a processing system, the method comprising:

Determining whether a frame of the time based stream of information requires modification (*see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual*

movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and "Use No Proxies" correspond to displaying the first frame.

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12) that includes adding an edit feature to the frame, to create a revised frame (The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 or rendering at lower-resolution of an original movie; the one or more references are the pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames), and storing the modifications in a file for the frame, in response to a user edit command (See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed during rendering of the effects and properties to the actual movie footage into a memory or a file stored in ActHiR.mov and the effects-rendered actual movie footage can be brought into view from the storage by the user wherein the user determines whether to view the effects-rendered proxy or the effects-rendered actual movie footage while the effects and properties are being applied or have been applied to the original movie footage

Effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the revised footage stored in

ActHiR.mov meets the claim limitation of “a file for the presentation”. After-Effect thus teaches storing the edit effects and properties in the ActHiR.mov file.

rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on wherein effects correspond to edit features of the claim invention; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. This last sentence exactly teaches that when you render the actual composition, After Effects will display the proxy during the rendering of the actual composition.

Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. This last sentence exactly teaches that displaying the first representation of the presentation by skipping the displaying of the proxy---the second representation of the presentation.

Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition) that include adding an edit feature to the first representation of the presentation (The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 or rendering at lower-resolution of an original movie; the one or more references are the pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames); and

If it is determined that the frame requires the modification, automatically creating a proxy of the frame while rendering modifications of the frame, the proxy including a simulation of the modifications (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See also Page 22, proxies including FX_Prx.mov are created during the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames; see Page 21-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. It is clear that the proxy frames are created during the rendering of the ActHiR.mov as effects are simultaneously added to the original movie having a sequence of frames and the proxy frames simulate the modifications/changes/effects to the original movie*), wherein the creating the proxy includes simulating the adding of the edit feature to the frame (*The claimed simulation of the modifications corresponds to the proxy frames being simulated on a display with the new effects being added to the proxy footage while being presented on the display and the simulation of the modifications is stored as a proxy file FX_HiR.mov---representing the proxy footage. Thus, creating the proxy footage ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation since the simulation of the modifications is related to effects being added to the proxy footage---- ActPrx.mov or FX_HiR.mov---being presented on a display, as opposed to the actual movie footage----ActHiR.mov----being simultaneously rendered on a*

storage while the proxy is displayed and the editing effects are simulated. The actual movie footage with the rendered editing effects can be brought from the storage into view by the user. The simulation of modifications is added to the proxy frames on a display as the proxy footage is created during-simultaneously with--the rendering and/or adding of the editing features. The original movie footage can be rendered at lower-resolution proxy on a display during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See Page 22, proxy is created during the rendering on a display; see Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. See Pages 9-12, the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage; see Page 11-12. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage.

See Page 11 wherein ActPrx.mov is a proxy movie footage of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie);

Sending the proxy to a display (See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed) and

Displaying the proxy frame during the rendering the modifications of the frame (See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed during rendering of the effects and properties to the actual movie footage

into a memory or a file stored in ActHiR.mov and the effects-rendered actual movie footage can be brought into view from the storage by the user wherein the user determines whether to view the effects-rendered proxy or the effects-rendered actual movie footage while the effects and properties are being applied or have been applied to the original movie footage), and if it is determined that the frame does not require the modification, displaying the frame of the time based stream of information (see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: “Use No Proxies” and “Effects All” on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and “Use No Proxies” correspond to displaying the first frame.

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12. If options are deactivated in the effects Controls window, the frame of the movie is rendered without effects applied and therefore either the frame of the movie or the proxy frame of the proxy movie is displayed without the modification).

However, it needs to be shown whether Adobe After Effect explicitly discloses the claim limitation “during” without the claim limitation of “displaying the proxy frame during the

rendering the modifications of the frame". Adobe After Effect at least implicitly discloses the claim limitation because Adobe After Effect discloses at Pages 9-12 that (with respect to the rendering/storing the effects and properties) the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---- wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage into a memory of a file stored as ActHiR.mov file. The user determines whether to view the proxy with the rendered effects or the actual movie footage with the rendered effects. During the rendering of the effects, the proxy movie with the rendered effects is viewed while the effects are also rendered to ActHiR.mov. The effects are being applied or have been applied to the sequence of frames of the movie in the process of rendering and/or in the processing of presentation. When the actual movie footage with the rendered effects is toggled to be viewed in a viewing window, the proxy with the rendered effects is not viewed concurrently after effects are rendered.

Moreover, with respect to the simultaneously rendering/displaying of the actual movie footage, one of the ordinary skill in the art understands from After Effects that simultaneously rendering/displaying the effects and properties to the proxy as well as the actual movie footage can be achieved with two computers loaded with the same footage movie wherein the user has the option to allow one computer to simulate the rendering/displaying of the effects and properties to the proxy and the user has the option to allow the other computer to simultaneously simulate the rendering/displaying of the effects and properties to the actual movie footage.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage stored in ActHiR.mov (simultaneously rendering) wherein the effects and properties are rendered to a memory or a file called ActHiR.mov during the displaying of the proxies or the low-resolution counterparts. After-Effects thus fulfill the claimed simultaneously rendering when the effects and properties are simultaneously applied/rendered into the lower-resolution counterparts and the actual footage.

After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window in a sequence of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed and while the effects and properties are actually being performed on the actual movie footage on a storage to create the revised footage. For this reason, After-Effect teaches a first representation (on a storage) of the presentation of a time-based stream of information---actual footage---as first represented by actual footage movie and then second represented (on a display) by the proxy movie footage at a resolution and frame rate set by the user.

The ActHiR.mov represents the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the sequence of the image frames. The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original footage to create a revised movie footage----ActHiR.mov----which is resident on a storage. When the effects being added to the movie footage---ActHiR.mov---stored on a storage device, simulation occurs within the storage file, ActHiR.mov. The simulation of modifications refers to the simulation of the proxy footage when the effects are added to the proxy frames as visualized on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to produce the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See also Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---wherein the movie has been revised by adding effects to the original footage. See Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie footage.

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After Effects teaches rendering the project named 07Movie.mov, which represents a sequence of frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on. With After Effects, a user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties are applied to the actual footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After Effects teaches that the edit feature includes the settings in the Render Settings window wherein the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution

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copy of an original movie, the references set forth in the claim invention correspond to the pixel positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in correspondence with the original frame(s). After Effects teaches storing the modifications in response to a user edit command wherein the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov wherein the editing effects are rendered to the actual footage.

In Page 11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the proxies of the original movie are displayed as lower-resolution image frames. After Effects further teaches manipulating the time based stream of information in which the project 07Movie.mov is a time based stream of information and is rendered as a sequence of frames representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and “Effects All” on and the edit effects correspond to edit features of the claim invention are applied to the lower-resolution proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie’s frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie

is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page 22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed. After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies

are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Nevertheless, Herbstman teaches the claim limitation of "during". Herbstman teaches a method for manipulating a time based stream of information in a processing system (Fig. 1), the method comprising:

determining whether a frame of the time based stream of information requires a modification (*the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface. At column 4, lines 10-40, the cited reference teaches that proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently*) that includes adding an edit feature to the frame (*the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface*), to create a revised frame and storing the modifications in a file for the frame in

response to a user edit command (*the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface*); if it is determined that the frame requires the modification, automatically creating a proxy of the frame while rendering of the frame (*The master frames are rendered in a first format as a proxy frame or in a second format in parallel as disclosed in column 6, lines 20-67 in accordance with the output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame. Therefore, while continuing adding the edit feature to the first master frame, the first proxy is rendered in parallel and is created in the display and saved in the memory.*

The user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface), the proxy including a simulation of the modifications (column 4, lines 10-40, proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for

example, animation effects and plug-in effects can be disabled to speed up the rendering process.
Each effect in a layer can be enabled independently), wherein the creating the proxy includes simulating the adding of the edit feature to the frame (column 4, lines 10-40, proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently); sending the proxy to a display; displaying the proxy of the frame during the rendering the modifications of the frame (e.g., The master frames are rendered in a first format as a proxy frame or in a second format in parallel as disclosed in column 6, lines 20-67 in accordance with the output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame. Therefore, while continuing adding the edit feature to the first master frame, the first proxy is rendered in parallel and is created in the display and saved in the memory.

The frames are rendered in parallel as disclosed in column 6, lines 20-67 in accordance with each output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame) and

if it is determined that the frame does not require the modification, displaying the frame of the time based stream of information (e.g., column 4, lines 10-40, proxy use determines

whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently. The frames are rendered in parallel as disclosed in column 6, lines 20-67 in accordance with each output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame).

Therefore, Herbstman at least teaches or suggests the claim invention set forth in the claims.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to have combined the teaching of Herbstman and Adobe After Effects because the references alone or in combination teaches the claim limitations set forth in the base claim 1. Having the combined teaching, one of the ordinary skill in the art would have been motivated to provide viewing of the edited effects as proxy while the effects are actually rendered in a high resolution complex movie thus less resources are required to present the effects rendered movie as proxy movie (See Adobe After Effects Pages 9-22 and Herbstman Figs. 1-2 and column 3-6). Moreover, with respect to the simultaneously rendering/displaying of the actual movie footage, one of the ordinary skill in the art understands from After Effects that simultaneously rendering/displaying the effects and properties to the proxy as well as the actual movie footage can be achieved with two computers loaded with the same footage movie wherein the user has

the option to allow one computer to simulate the rendering/displaying of the effects and properties to the proxy and the user has the option to allow the other computer to simultaneously simulate the rendering/displaying of the effects and properties to the actual movie footage.

Claims 39-40:

After-Affects further teaches the claim limitation that the one or more references (e.g., pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames) have instructions to manipulate the time based stream of information (e.g., rendering the project 07Movie.mov which is a sequence of frames within a movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and “Effects All” on wherein Effects correspond to edit features of the claim invention are applied to the lower-resolution proxies; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined)

Re Claims 2, 9, 16, 22:

The claims recite additional claimed limitation of displaying the frame of the time based stream of information in response to the user edit command and sending instructions for creating the proxy if it is determined that the frame requires the modification. However, After Effect further disclose the claim limitation of displaying the frame of the time based stream of information in response to the user edit command and sending instructions for creating the proxy if it is determined that the frame requires the modification (After Effect teaches in Page 11 displaying the proxy footage or movie frames by clicking the proxy indicator to turn it on or off. After Effects teaches in Page 23 creating a new composition at lower-resolution and the lower frame rate upon the user's edit command. Alternatively, if the option for rendering effects and/or the option for rendering the proxy are selected, the proxy movie footage is rendered. Otherwise, the actual movie footage is rendered).

Re Claims 3, 10, 17, 23:

The claims recite additional limitation of creating proxy by drawing an imitation of the edit feature. However, After Effects further discloses the claim limitation of creating proxy by drawing an imitation of the edit feature (See Pages 30-31 wherein the imitation of the edit feature is drawn).

Re Claims 4, 11, 18, 24:

The claims recite additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, After Effect further discloses

the claim limitation of the edit feature being text and the imitation including simulated character, size and font (See Pages 32-34).

Re Claims 5, 12 and 25:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. However, After Effect further discloses the claimed limitation of a first software component having instructions for adding the edit feature (the file-format plug-in in Page 35 which presents the Cineon file to After Effects or the Wave Warp plug-in in Page 36) and the first software component being separate from a second software component that has instructions for creating the proxy (See Page 23 wherein a new composition as a proxy of the original movie is rendered using the Adobe After Effects software which is separate from the plug-in; see Page 41 for the After Effects 4.0 Production Bundle).

Re Claims 6, 13, 19 and 25:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the second software unit being a plug-in or ActiveX control.

After Effect further discloses the claim limitation of the second software unit being a plug-in or ActiveX control (for plug-in see Page 1 or the file-format plug-in in Page 35 or the Wave Warp plug-in in Page 36).

Re Claims 7, 14, 20 and 26:

The claims set forth additional claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information.

After Effects further discloses the claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps which is much less than the native playback speed of the original movie*).

2. Re Claims 27, 30, 33 and 36:

After-Effect teaches a method to manipulate a time based stream of information (Pages 9-12, or Page 31 and 35) comprising:

Receiving an edit command (*such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12*);

Retrieving a first frame of time based stream of information in response to the edit command (*e.g., rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on wherein effects correspond to edit features of the claim invention; With After Effects, the user can also import high-resolution footage of an actor*

filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. This last sentence exactly teaches that when you render the actual composition, After Effects will display the proxy during the rendering of the actual composition. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. This last sentence exactly teaches that displaying the first representation of the presentation by skipping the displaying of the proxy--the second representation of the presentation. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition);

Determining whether the first frame requires a modification according to the edit command (see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and "Use No Proxies" correspond to displaying the first frame.

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12. If options

are activated in the effects Controls window, the frame of the movie is rendered with effects applied and therefore either the frame of the movie or the proxy frame of the proxy movie is displayed with the modification.

*The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: “Use No Proxies” and “Effects All” on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and “Use No Proxies” correspond to displaying the first representation of the first unit after the modification has been made. With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it’s 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined);*

Adding an edit feature to the first frame if the first frame requires the modification (With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After

*Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined);*

*Creating a first proxy of the first frame, wherein the creating the first proxy of the first frame is performed while continuing the adding of the edit feature to the first frame (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See also Page 22, proxies including FX_Prx.mov are created during the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames; see Page 21-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. It is clear that the proxy frames are created during---simultaneously with--- the rendering of the ActHiR.mov as effects are simultaneously added to the original movie----a sequence of frames--- and the proxy frames simulate the modifications/changes/effects to the original movie. The claimed simulation of the modifications corresponds to the proxy frames being simulated on a display with the new effects being added to the proxy footage while being presented on the display and the simulation of the modifications is**

later stored as a proxy file FX_HiR.mov----representing the proxy footage. Thus, creating the proxy footage ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation since the simulation of the modifications is related to effects being added to the proxy footage---- ActPrx.mov or FX_HiR.mov---being presented on a display, as opposed to the actual movie footage----ActHiR.mov---being simultaneously rendered on a storage while the proxy is displayed and the editing effects are simulated. The actual movie footage with the rendered editing effects can be brought from the storage into view by the user. The simulation of modifications is added to the proxy frames on a display as the proxy footage is created during the rendering and/or adding of the editing features. The original movie footage can be rendered at lower-resolution proxy on a display during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See Page 22, proxy is created during the rendering on a display; see Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. See Pages 9-12, the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage; see Page 11-12. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage. See Page 11 wherein ActPrx.mov is a proxy movie footage of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie); and

Displaying the proxy of the first frame while continuing the adding the edit feature to the first frame if it is determined that the first frame requires modification (*See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed during rendering of the effects and properties to the actual movie footage stored in ActHiR.mov and the effects-rendered actual movie footage can be brought into view from the storage by the user wherein the user determines whether to view the effects-rendered proxy or the effects-rendered actual movie footage*); and

Displaying the first frame of the time based stream of information if it is determined that the first frame does not require the modification (*see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and "Use No Proxies" correspond to displaying the first frame.*

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12. If options are deactivated in the effects Controls window, the frame of the movie is rendered without effects applied and therefore either the frame of the movie or the proxy frame of the proxy movie is displayed without the modification).

However, it needs to be shown whether Adobe After Effects explicitly discloses the claim limitation “during” without the claim limitation of “displaying the proxy, which is the second representation of the presentation during rendering the modifications of the first representation of the presentation. Adobe After Effects at least implicitly disclose the claim limitation because Adobe After Effect discloses at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov—wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage stored in ActHiR.mov file. The user determines whether to view the proxy with the rendered effects or the actual movie footage with the rendered effects. During the rendering of the effects, the proxy with the rendered effects is viewed while the effects are also rendered to ActHiR.mov. When the actual movie footage with the rendered effects is toggled to be viewed in a viewing window, the proxy with the rendered effects is not viewed concurrently after effects are rendered.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov wherein the effects and properties are rendered to ActHiR.mov during the displaying of the proxies or the low-resolution counterparts.

After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the

presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window with a sequence of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed while actually being performed on the actual movie footage wherein the effects and properties are applied to the actual footage to create the revised footage. For this reason, After-Effect teaches a first representation of the presentation of a time-based stream of information---actual footage---as first represented by actual footage movie and then second represented by the proxy movie footage at a resolution and frame rate set by the user.

The ActHiR.mov represents the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the sequence of the image frames. The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original footage to create a revised movie footage----ActHiR.mov----which is resident on a storage. When the effects being added to the movie footage---ActHiR.mov---stored on a storage device, simulation occurs within the storage file, ActHiR.mov, rather than on the presentation. The simulation of modifications refers to the simulation of the proxy footage when the effects are added to the proxy frames on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to produce the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See also Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---wherein the movie has been revised by adding effects to the original footage. See Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie footage.

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered

as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After Effects teaches rendering the project named 07Movie.mov, which represents a sequence of frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on. With After Effects, a user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties are applied to the actual footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After Effects teaches that the edit feature includes the settings in the Render Settings window wherein the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution copy of an original movie, the references set forth in the claim invention correspond to the pixel positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in correspondence with the original frame(s). After Effects teaches storing the modifications in response to a user edit command wherein the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov wherein the editing effects are rendered to the actual footage.

In Page 11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the

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proxies of the original movie are displayed as lower-resolution image frames. After Effects further teaches manipulating the time based stream of information in which the project 07Movie.mov is a time based stream of information and is rendered as a sequence of frames representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and “Effects All” on and the edit effects correspond to edit features of the claim invention are applied to the lower-resolution proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie’s frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page 22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed. After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Herbstman teaches a method to manipulate a time based stream of information (Figs. 1-2 and column 3-6) comprising:

Receiving an edit command (the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface);

Retrieving a first frame of time based stream of information (The frames are rendered in parallel as disclosed in column 6, lines 20-67 in accordance with each output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy of the master frame is retrieved and then rendered in one format while the master frame is rendered at the second format);

Determining whether the first frame requires a modification according to the edit command (the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface. At column 4, lines 10-40, the cited reference teaches that proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently;);

Adding an edit feature to the first frame if the first frame requires the modification (the user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered;

column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface);

Creating a first proxy of the first frame, wherein the creating the first proxy of the first frame is performed while continuing the adding of the edit feature to the first frame (*The master frames are rendered in a first format as a proxy frame or in a second format in parallel as disclosed in column 6, lines 20-67 in accordance with the output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame. Therefore, while continuing adding the edit feature to the first master frame, the first proxy is rendered in parallel and is created in the display and saved in the memory.*

The user selects the render settings of Fig. 1 and column 2, lines 35-67 and column 3, lines 5-15, once the formatted frame is produced, the system checks to determine if other output formats have been requested. If not, the system checks to determine if more frames need to be rendered; column 3, lines 30-50 certain ones of the user configurable render settings may be designated by the user through user interface. At column 4, lines 10-40, the cited reference teaches that proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently);

Display the proxy of the first frame while continuing the adding the edit feature to the first frame if it is determined that the first frame requires the modification (*The master frames are rendered in a first format as a proxy frame or in a second format in parallel as disclosed in column 6, lines 20-67 in accordance with the output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy is rendered in one format while another frame of a second format is rendered based on the same master frame. Therefore, while continuing adding the edit feature to the first master frame, the first proxy is rendered in parallel and is created in the display and saved in the memory.*);

Displaying the first frame of the time based stream of information if it is determined that the first frame does not require the modification (column 4, lines 10-40, proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form and proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage. Effects determines what effects are enabled for the rendered composition, for example, animation effects and plug-in effects can be disabled to speed up the rendering process. Each effect in a layer can be enabled independently. The frames are rendered in parallel as disclosed in column 6, lines 20-67 in accordance with each output format definitions including the proxy use option and the effects/resolutions rendering options for each output format and therefore the proxy of the master frame is rendered in one format while the master frame is rendered at the second format).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to have combined the teaching of Herbstman and Adobe After Effects because the references alone or in combination teaches the claim limitations set forth in the base claim 1.

Having the combined teaching, one of the ordinary skill in the art would have been motivated to provide viewing of the edited effects as proxy while the effects are actually rendered in a high resolution complex movie thus less resources are required to display the effects rendered movie (See Adobe After Effects Pages 9-22 and Herbstrman Figs. 1-2 and column 3-6).

Re Claims 29, 32, 35 and 38:

Adobe After Effects and Herbstrman further teach the claim limitation of determining whether the first frame is displayed and skipping the displaying of the proxy if the first frame is displayed (*see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: “Use No Proxies” and “Effects All” on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and “Use No Proxies” correspond to displaying the first frame*).

Claims 1-27, 29-30, 32-33, 35-36 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adobe After Effect Version 4.0, July 15, 1999,
<http://proquest.safaribooksonline.com/0201658917> (hereinafter After-Effects; for applicant's convenience, a number of relevant pages from the e-book has been printed out and the printed-out-pages are renumbered for ease of reference) in view of Phillips US Patent No. 6,215,485 (hereinafter Phillips).

3. Re Claims 1, 8, 15, 21 and 39-40:

After-Effect teaches a method of manipulating a time based stream (e.g., adding effects to a movie clip, an animation clip, etc) of information in a processing system, the method comprising:

Determining whether a frame of the time based stream of information requires modification (*see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: “Use No Proxies” and “Effects All” on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and “Use No Proxies” correspond to displaying the first frame.*

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12) that includes adding an edit feature to the frame, to create a revised frame (The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 or rendering at lower-resolution of an original movie; the one or more references are the pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames), and storing the modifications in a file for the frame, in response to a user edit command (See Page 22, you'll set proxies to speed up screen redraw; see

Page 31 wherein the lower-resolution proxies are displayed during rendering of the effects and properties to the actual movie footage into a memory or a file stored in ActHiR.mov and the effects-rendered actual movie footage can be brought into view from the storage by the user wherein the user determines whether to view the effects-rendered proxy or the effects-rendered actual movie footage while the effects and properties are being applied or have been applied to the original movie footage

Effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the revised footage stored in ActHiR.mov meets the claim limitation of “a file for the presentation”. After-Effect thus teaches storing the edit effects and properties in the ActHiR.mov file.

rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on wherein effects correspond to edit features of the claim invention; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. This last sentence exactly teaches that when you render the actual composition, After Effects will display the proxy during the rendering of the actual composition.

Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. This last sentence exactly teaches that displaying the first representation of the

presentation by skipping the displaying of the proxy---the second representation of the presentation.

*Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition)*

that include adding an edit feature to the first representation of the presentation (*The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 or rendering at lower-resolution of an original movie; the one or more references are the pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames*); and

If it is determined that the frame requires the modification, automatically creating a proxy of the frame while rendering modifications of the frame, the proxy including a simulation of the modifications (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See also Page 22, proxies including FX_Prxy.mov are created during the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames; see Page 21-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. It is clear that the proxy frames are created during the rendering of the ActHiR.mov as effects are simultaneously added to the original movie having a sequence of frames and the proxy frames simulate the modifications/changes/effects to the original movie*), wherein the creating the

proxy includes simulating the adding of the edit feature to the frame (*The claimed simulation of the modifications corresponds to the proxy frames being simulated on a display with the new effects being added to the proxy footage while being presented on the display and the simulation of the modifications is stored as a proxy file FX_HiR.mov----representing the proxy footage.* Thus, creating the proxy footage *ActPrx.mov* or *FX_HiR.mov* includes simulating the adding of the effects to the presentation since the simulation of the modifications is related to effects being added to the proxy footage---- *ActPrx.mov* or *FX_HiR.mov*---being presented on a display, as opposed to the actual movie footage----*ActHiR.mov*---being simultaneously rendered on a storage while the proxy is displayed and the editing effects are simulated. *The actual movie footage with the rendered editing effects can be brought from the storage into view by the user.* The simulation of modifications is added to the proxy frames on a display as the proxy footage is created during--simultaneously with--the rendering and/or adding of the editing features. The original movie footage can be rendered at lower-resolution proxy on a display during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See Page 22, proxy is created during the rendering on a display; see Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. See Pages 9-12, the *effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by adding effects to the original movie*

footage to create a revised movie footage; see Page 11-12. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage.

See Page 11 wherein ActPrx.mov is a proxy movie footage of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie);

Sending the proxy to a display (See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed) and

Displaying the proxy frame during the rendering the modifications of the frame (See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed during rendering of the effects and properties to the actual movie footage into a memory or a file stored in ActHiR.mov and the effects-rendered actual movie footage can be brought into view from the storage by the user wherein the user determines whether to view the effects-rendered proxy or the effects-rendered actual movie footage while the effects and properties are being applied or have been applied to the original movie footage), and if it is determined that the frame does not require the modification, displaying the frame of the time based stream of information (see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and "Use No Proxies" correspond to displaying the first frame.

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame

of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12. If options are deactivated in the effects Controls window, the frame of the movie is rendered without effects applied and therefore either the frame of the movie or the proxy frame of the proxy movie is displayed without the modification).

However, it needs to be shown whether Adobe After Effect explicitly discloses the claim limitation “during” without the claim limitation of “displaying the proxy frame during the rendering the modifications of the frame”. Adobe After Effect at least implicitly discloses the claim limitation because Adobe After Effect discloses at Pages 9-12 that (with respect to the rendering/storing the effects and properties) the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---- wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage into a memory of a file stored as ActHiR.mov file. The user determines whether to view the proxy with the rendered effects or the actual movie footage with the rendered effects. During the rendering of the effects, the proxy movie with the rendered effects is viewed while the effects are also rendered to ActHiR.mov. The effects are being applied or have been applied to the sequence of frames of the movie in the process of rendering and/or in the processing of presentation. When the actual

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movie footage with the rendered effects is toggled to be viewed in a viewing window, the proxy with the rendered effects is not viewed concurrently after effects are rendered.

Moreover, with respect to the simultaneously rendering/displaying of the actual movie footage, one of the ordinary skill in the art understands from After Effects that simultaneously rendering/displaying the effects and properties to the proxy as well as the actual movie footage can be achieved with two computers loaded with the same footage movie wherein the user has the option to allow one computer to simulate the rendering/displaying of the effects and properties to the proxy and the user has the option to allow the other computer to simultaneously simulate the rendering/displaying of the effects and properties to the actual movie footage.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage stored in ActHiR.mov (simultaneously rendering) wherein the effects and properties are rendered to a memory or a file called ActHiR.mov during the displaying of the proxies or the low-resolution counterparts. After-Effects thus fulfill the claimed simultaneously rendering when the effects and properties are simultaneously applied/rendered into the lower-resolution counterparts and the actual footage.

After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window in a sequence of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application

window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed and while the effects and properties are actually being performed on the actual movie footage on a storage to create the revised footage. For this reason, After-Effect teaches a first representation (on a storage) of the presentation of a time-based stream of information---actual footage---as first represented by actual footage movie and then second represented (on a display) by the proxy movie footage at a resolution and frame rate set by the user.

The ActHiR.mov represents the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the sequence of the image frames. The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original footage to create a revised movie footage----ActHiR.mov----which is resident on a storage. When the effects being added to the movie footage---ActHiR.mov---stored on a storage device,

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simulation occurs within the storage file, ActHiR.mov. The simulation of modifications refers to the simulation of the proxy footage when the effects are added to the proxy frames as visualized on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to produce the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See also Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---wherein the movie has been revised by adding effects to the original footage. See Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie footage.

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After Effects teaches rendering the project named 07Movie.mov, which represents a sequence of frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window

should be checked for the following settings: Use No Proxies and Effects All on. With After Effects, a user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties are applied to the actual footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After Effects teaches that the edit feature includes the settings in the Render Settings window wherein the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution copy of an original movie, the references set forth in the claim invention correspond to the pixel positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in correspondence with the original frame(s). After Effects teaches storing the modifications in response to a user edit command wherein the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov wherein the editing effects are rendered to the actual footage.

In Page 11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the proxies of the original movie are displayed as lower-resolution image frames. After Effects further teaches manipulating the time based stream of information in which the project 07Movie.mov is a time based stream of information and is rendered as a sequence of frames representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window

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should be checked for the following settings: Use No Proxies and “Effects All” on and the edit effects correspond to edit features of the claim invention are applied to the lower-resolution proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie's frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page 22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a

frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed. After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Nevertheless, Phillips teaches the claim limitation of "during". Phillips discloses at col. 10, lines 5-20, column 12, lines 28-51 that the high-resolution images with special effects 332 are rendered on the film recorder while the proxy---low resolution video images 335 are displayed to editor 110 in which the artist 120 renders the special effects. Phillips also discloses at column 24, lines 10-16 that the video proxy image 335 may be a high resolution HDTV image. Therefore, the editing may be performed while displayed on both the low-resolution proxy images and the high-resolution images.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to have combined the teaching of Phillips and Adobe After Effects because the references alone or in combination teaches the claim limitations set forth in the base claim 1. Having the combined teaching, one of the ordinary skill in the art would have been motivated to

provide viewing of the edited effects as proxy while the effects are actually rendered in a high resolution complex movie thus less resources are required to present the effects rendered movie as proxy movie (See Adobe After Effects Pages 9-22 and Phillips col. 10-12). Moreover, with respect to the simultaneously rendering/displaying of the actual movie footage, one of the ordinary skill in the art understands from After Effects that simultaneously rendering/displaying the effects and properties to the proxy as well as the actual movie footage can be achieved with two computers loaded with the same footage movie wherein the user has the option to allow one computer to simulate the rendering/displaying of the effects and properties to the proxy and the user has the option to allow the other computer to simultaneously simulate the rendering/displaying of the effects and properties to the actual movie footage.

Claims 39-40:

After-Affects further teaches the claim limitation that the one or more references (e.g., pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames) have instructions to manipulate the time based stream of information (e.g., rendering the project 07Movie.mov which is a sequence of frames within a movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and “Effects All” on wherein Effects correspond to edit features of the claim invention are applied to the lower-resolution proxies; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the

proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined)

Re Claims 2, 9, 16, 22:

The claims recite additional claimed limitation of displaying the frame of the time based stream of information in response to the user edit command and sending instructions for creating the proxy if it is determined that the frame requires the modification. However, After Effect further disclose the claim limitation of displaying the frame of the time based stream of information in response to the user edit command and sending instructions for creating the proxy if it is determined that the frame requires the modification (After Effect teaches in Page 11 displaying the proxy footage or movie frames by clicking the proxy indicator to turn it on or off. After Effects teaches in Page 23 creating a new composition at lower-resolution and the lower frame rate upon the user's edit command. Alternatively, if the option for rendering effects and/or the option for rendering the proxy are selected, the proxy movie footage is rendered. Otherwise, the actual movie footage is rendered).

Re Claims 3, 10, 17, 23:

The claims recite additional limitation of creating proxy by drawing an imitation of the edit feature. However, After Effects further discloses the claim limitation of creating proxy by

drawing an imitation of the edit feature (See Pages 30-31 wherein the imitation of the edit feature is drawn).

Re Claims 4, 11, 18, 24:

The claims recite additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, After Effect further discloses the claim limitation of the edit feature being text and the imitation including simulated character, size and font (See Pages 32-34).

Re Claims 5, 12 and 25:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. However, After Effect further discloses the claimed limitation of a first software component having instructions for adding the edit feature (the file-format plug-in in Page 35 which presents the Cineon file to After Effects or the Wave Warp plug-in in Page 36) and the first software component being separate from a second software component that has instructions for creating the proxy (See Page 23 wherein a new composition as a proxy of the original movie is rendered using the Adobe After Effects software which is separate from the plug-in; see Page 41 for the After Effects 4.0 Production Bundle).

Re Claims 6, 13, 19 and 25:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the second software unit being a plug-in or ActiveX control.

After Effect further discloses the claim limitation of the second software unit being a plug-in or ActiveX control (for plug-in see Page 1 or the file-format plug-in in Page 35 or the Wave Warp plug-in in Page 36).

Re Claims 7, 14, 20 and 26:

The claims set forth additional claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information.

After Effects further discloses the claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps which is much less than the native playback speed of the original movie*).

4. Re Claims 27, 30, 33 and 36:

After-Effect teaches a method to manipulate a time based stream of information (Pages 9-12, or Page 31 and 35) comprising:

Receiving an edit command (*such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12*);

Retrieving a first frame of time based stream of information in response to the edit command (*e.g., rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on wherein effects correspond to edit features of the claim invention; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. This last sentence exactly teaches that when you render the actual composition, After Effects will display the proxy during the rendering of the actual composition. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. This last sentence exactly teaches that displaying the first representation of the presentation by skipping the displaying of the proxy--the second representation of the presentation. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition*);

Determining whether the first frame requires a modification according to the edit command (*see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual*

movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and “Use No Proxies” correspond to displaying the first frame.

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12. If options are activated in the effects Controls window, the frame of the movie is rendered with effects applied and therefore either the frame of the movie or the proxy frame of the proxy movie is displayed with the modification.

The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: “Use No Proxies” and “Effects All” on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and “Use No Proxies” correspond to displaying the first representation of the first unit after the modification has been made. With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with

*Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined);*

*Adding an edit feature to the first frame of the first frame requires the modification (With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined);*

Creating a first proxy of the first frame, wherein the creating the first proxy of the first frame is performed while continuing the adding of the edit feature to the first frame (The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See also Page 22, proxies including FX_Prx.mov are created during the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered

at the user-selectable resolution with the effects being added to the proxy frames; see Page 21-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. It is clear that the proxy frames are created during---simultaneously with---the rendering of the ActHiR.mov as effects are simultaneously added to the original movie----a sequence of frames--- and the proxy frames simulate the modifications/changes/effects to the original movie. The claimed simulation of the modifications corresponds to the proxy frames being simulated on a display with the new effects being added to the proxy footage while being presented on the display and the simulation of the modifications is later stored as a proxy file FX_HiR.mov---representing the proxy footage. Thus, creating the proxy footage ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation since the simulation of the modifications is related to effects being added to the proxy footage---- ActPrx.mov or FX_HiR.mov---being presented on a display, as opposed to the actual movie footage----ActHiR.mov---being simultaneously rendered on a storage while the proxy is displayed and the editing effects are simulated. The actual movie footage with the rendered editing effects can be brought from the storage into view by the user. The simulation of modifications is added to the proxy frames on a display as the proxy footage is created during the rendering and/or adding of the editing features. The original movie footage can be rendered at lower-resolution proxy on a display during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See Page 22, proxy is created during the rendering on a display; see Page 30-31 wherein a variety of effects are

applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. See Pages 9-12, the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage; see Page 11-12. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage. See Page 11 wherein ActPrx.mov is a proxy movie footage of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie); and

Displaying the proxy of the first frame while continuing the adding the edit feature to the first frame if it is determined that the first frame requires modification (See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed during rendering of the effects and properties to the actual movie footage stored in ActHiR.mov and the effects-rendered actual movie footage can be brought into view from the storage by the user wherein the user determines whether to view the effects-rendered proxy or the effects-rendered actual movie footage); and

Displaying the first frame of the time based stream of information if it is determined that the first frame does not require the modification (see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage w/o effects. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and "Use No Proxies" correspond to displaying the first frame.

The effects Controls window allows the effects options to be applied to the movie clips/frames and thus After-Effect teaches determining the effect control options whether a frame of the movie requires modification such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12. If options are deactivated in the effects Controls window, the frame of the movie is rendered without effects applied and therefore either the frame of the movie or the proxy frame of the proxy movie is displayed without the modification).

However, it needs to be shown whether Adobe After Effects explicitly discloses the claim limitation “during” without the claim limitation of “displaying the proxy, which is the second representation of the presentation during rendering the modifications of the first representation of the presentation. Adobe After Effects at least implicitly disclose the claim limitation because Adobe After Effect discloses at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---- wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage stored in ActHiR.mov file. The user determines whether to view the proxy with the rendered effects or the actual movie footage with the rendered effects. During the rendering of the effects, the proxy with the rendered effects is viewed while the effects are also rendered to ActHiR.mov. When the actual

movie footage with the rendered effects is toggled to be viewed in a viewing window, the proxy with the rendered effects is not viewed concurrently after effects are rendered.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov wherein the effects and properties are rendered to ActHiR.mov during the displaying of the proxies or the low-resolution counterparts.

After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window with a sequence of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed while actually being performed on the actual movie footage wherein the effects and properties are applied to the actual footage to create the revised footage. For this reason, After-Effect teaches a first representation of the presentation of a time-based stream of information---actual footage---as first represented by actual footage movie and then second represented by the proxy movie footage at a resolution and frame rate set by the user.

The ActHiR.mov represents the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the sequence of the image frames. The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original footage to create a revised movie footage----ActHiR.mov----which is resident on a storage. When the effects being added to the movie footage---ActHiR.mov---stored on a storage device, simulation occurs within the storage file, ActHiR.mov, rather than on the presentation. The simulation of modifications refers to the simulation of the proxy footage when the effects are added to the proxy frames on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to produce the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See also Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov---wherein the movie has been revised by adding effects to the original footage. See Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie footage.

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After Effects teaches rendering the project named 07Movie.mov, which represents a sequence of frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on. With After Effects, a user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties are applied to the actual footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After Effects teaches that the edit feature includes the settings in the Render Settings window wherein the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution

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copy of an original movie, the references set forth in the claim invention correspond to the pixel positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in correspondence with the original frame(s). After Effects teaches storing the modifications in response to a user edit command wherein the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov wherein the editing effects are rendered to the actual footage.

In Page 11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the proxies of the original movie are displayed as lower-resolution image frames. After Effects further teaches manipulating the time based stream of information in which the project 07Movie.mov is a time based stream of information and is rendered as a sequence of frames representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and “Effects All” on and the edit effects correspond to edit features of the claim invention are applied to the lower-resolution proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie’s frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie

is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page 22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed. After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies

are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Nevertheless, Phillips teaches the claim limitation of "during". Phillips discloses at col. 10, lines 5-20, column 12, lines 28-51 that the high-resolution images with special effects 332 are rendered on the film recorder while the proxy--low resolution video images 335 are displayed to editor 110 in which the artist 120 renders the special effects. Phillips also discloses at column 24, lines 10-16 that the video proxy image 335 may be a high resolution HDTV image. Therefore, the editing may be performed while displayed on both the low-resolution proxy images and the high-resolution images.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to have combined the teaching of Phillips and Adobe After Effects because the references alone or in combination teaches the claim limitations set forth in the base claim 1. Having the combined teaching, one of the ordinary skill in the art would have been motivated to provide viewing of the edited effects as proxy while the effects are actually rendered in a high resolution complex movie thus less resources are required to display the effects rendered movie (See Adobe After Effects Pages 9-22 and Phillips col. 10-12).

Re Claims 29, 32, 35 and 38:

Adobe After Effects and Phillips further teach the claim limitation of determining whether the first frame is displayed and skipping the displaying of the proxy if the first frame is displayed (*see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and*

effects are determined in order to allow the selected edit command to be rendered on the actual movie footage. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and “Use No Proxies” correspond to displaying the first frame).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (571) 272-7665. The examiner can normally be reached on 8:00 - 6:30 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Jin-Cheng Wang/
Primary Examiner, Art Unit 2628